

IN THE CIRCUIT COURT FOR SUMTER COUNTY, FLORIDA

SUMTER COUNTY, FLORIDA,)	
)	CASE NO. 2009 CA 000467
Petitioner,)	
vs.)	PARCEL: 113
)	
TURKEY RUN 2, LLC, a Florida limited)	
liability company, et al.,)	
)	
Respondents.)	
)	

STIPULATED FINAL JUDGMENT
CONCERNING PARCEL 113

THIS CAUSE came to be considered pursuant to the attached Joint Motion to Enter Stipulated Final Judgment Concerning Parcel 113, filed by Petitioner Sumter County (the "County") and Respondents Timothy David Kirkman and Patsy M. Kirkman ("Respondents"). Upon reviewing the motion and the file, and being otherwise fully advised in the premises, the Court

ORDERED AND ADJUDGED:

1. The parties have reached a settlement of disputed claims, and their attached Joint Motion to Enter Stipulated Final Judgment Concerning Parcel 113 is hereby **GRANTED**.

2. On or about May 27, 2009, the County filed its petition for the purpose of acquiring Parcel 113 through eminent domain action. In accordance with the Court's August 10, 2009 Stipulated Order of Taking Concerning Parcel 113, the County timely deposited \$41,500.00 in the court registry concerning Parcel 113 on or about August 21, 2009.

3. Within 30 days from the date of this judgment, the County shall deposit the amount of \$27,500.00 into the court registry (which amount is in addition to the \$41,500.00 previously deposited), in full and complete settlement and satisfaction of any and all claims

concerning Parcel 113, including but not limited to land and improvements taken, severance damages, business or special damages, and subject to any claims for apportionment.

4. Upon depositing and paying the foregoing amounts, the County shall be deemed to own a fee simple right of way in Parcel 113, and shall have fully and completely satisfied any and all pending claims in this case concerning Parcel 113, including but not limited to the order of taking, full compensation, land and improvements taken, severance damages, business and special damages, any other type of damages recoverable in eminent domain; interest, the value of any liens, leases, encumbrances, options, or contracts, all pending motions, and apportionment claims, but exclusive of attorneys fees and costs and expert fees and costs.

5. Any withdrawal and/or apportionment of funds deposited in the court registry concerning Parcel 113 shall be done in accordance with Sections 73.101 and 73.141, Florida Statutes.

6. The Court reserves jurisdiction to determine (a) any and all compensable legal expenses, including reasonable attorneys' fees and costs, (b) expert fees and costs, (c) any requests to withdraw and/or apportion funds, and/or (d) any claims for attorneys' fees and costs resulting from any disputed apportionment proceedings.

DONE AND ORDERED, this ____ day of _____, 20____, in chambers in Bushnell, Sumter County, Florida.

Circuit Judge

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing has been furnished to each of the following named addresses by ☐ regular U.S. Mail and/or ☐ facsimile or ☐ hand delivery on this ____ day of _____, 20__.

Vivian Arenas-Battles, Esquire
de la Parte & Gilbert, P.A.
Post Office Box 2350
Tampa, Florida 33601-2350
(Attorney for Sumter County)

Raymer F. Maguire, III, Esquire
Fixel, Maguire and Willis
1010 Executive Center Drive, Suite 121
Orlando, FL 32803
(Attorney for Respondents: Mr. and Mrs. Kirkman)

Felix M. Adams, Esquire
138 Bushnell Plaza, Suite 201
Bushnell, FL 33513
(Attorney for Tom Swain, Sumter County Tax Collector)


Judicial Assistant

**JOINT MOTION TO ENTER STIPULATED
FINAL JUDGMENT CONCERNING PARCEL 113**

Petitioner Sumter County, Florida and Respondents Timothy David Kirkman and Patsy M. Kirkman ("Respondents"), by and through their undersigned attorneys, hereby stipulate to, and move the Court to enter, the foregoing Stipulated Final Judgment Concerning Parcel 113.

Vivian Arenas-Battles, FBN 606261
David M. Caldevilla, FBN 654248
de la Parte & Gilbert, P.A.
Post Office Box 2350
Tampa, Florida 33601-2350
Telephone: (813)229-2775
COUNSEL FOR SUMTER COUNTY

Date: _____



Raymer F. Maguire, III, FBN 0286885
Fixel, Maguire & Willis
1010 Executive Center, Suite 121
Orlando, Florida 32803
Telephone (407) 228-9522
COUNSEL FOR RESPONDENTS

Date: _____

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing has been furnished to each of the following named addresses by [] regular U.S. Mail and/or [] facsimile or [] hand delivery on this _____ day of _____, 20____.

Raymer F. Maguire, III, Esquire
Fixel, Maguire and Willis
1010 Executive Center Drive, Suite 121
Orlando, FL 32803
(Attorney for Respondents: Mr. and Mrs. Kirkman)

Felix M. Adams, Esquire
138 Bushnell Plaza, Suite 201
Bushnell, FL 33513
(Attorney for Tom Swain, Sumter County Tax Collector)

Vivian Arenas-Battles

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